

REMARKS

Objections to claims

The claims have been objected to because there are two claims having the number 29. Applicant sincerely apologizes for the error, and has renumbered the claims starting with the second claim 29 through claim 40 as claims 30-41.

Claims 21 and 39

Claim 21 are independent claim, and have been rejected under 35 USC 102(e) as being anticipated by Gupta (6,826,534). Applicant respectfully traverses the rejection to these claims. Applicant notes what these claims are directed to. A user requests via a user interface to print information. In response to this request, a print window is displayed. Thereafter, *in response to the user selecting a button on the print window*, another window is displayed, a job schedule window. Applicant has amended these claims so that it is clear that the job schedule window is a different window as compared to the print window.

Applicant notes that anticipation requires “the disclosure in a single prior art reference of each element of the claim under consideration,” (W.L. Gore & Assocs. v. Garlock, Inc. 220 USPQ 303, 313 (Fed. Cir. 1983) “*arranged as in the claim.*” (Lindermann Maschinenfabrik GmbH v. American Hoist & Derrick Co. 221 USPQ 481, 485 (Fed. Cir. 1984)) Applicant submits that Gupta does not disclose each element of claim 21, arranged as in the claim.

The Examiner has stated that FIG. 8 of Gupta shows the display of a print window, and in response to the user selecting a button on the print window, the display of a job schedule window. Applicant disagrees. There is a single window displayed in FIG. 8, the “HP Instant Delivery” window. Presumably, this window is displayed in response to a user requesting via a user interface to print information, and thus corresponds to the print window of the claimed invention. However, in Gupta, the user is able to specify a later time and/or date at which a print job is

transmitted to a printing device in this print window. In other words, in contradistinction to the claimed invention, the user in Gupta does *not* have to select a button on the print window, which results in the display of *another window* – a job schedule window – in which the user is able to specify a later time and/or date at which a print job is transmitted to a printing device.

That is, Gupta does not disclose all the elements of claims 21 and 39 arranged as in claims 21 and 39. Claims 21 and 39 are limited to the display of two windows, a print window and a job schedule window, where the job schedule window is displayed responsive to a user selecting a button on the print window. By comparison, Gupta displays just a single window, presumably a print window, and does not display a job schedule window. Furthermore, the user never selects a button to display such a job schedule window, in contradistinction to the claimed invention. For these reasons, claims 21 and 39 are not anticipated by Gupta.

Claim 22

Claim 22 is a dependent claim depending from claim 21, and has also been rejected under 35 USC 102(e) as being anticipated by Gupta. Claim 21 is limited to the user modifying one or more printing parameters controlling printing of the information on the printing device. Claim 21 has been amended to further specify these printing parameters to include a number of copies of the print job in question, and a page range of the print job in question.

Applicant submits that claim 22 is patentable at least because it depends from a patentable base claim, claim 21, but also because it is independently patentable, irrespective of the patentability of base claim 21. The Examiner has relied upon FIG. 8 of Gupta, and column 13, lines 53-65 thereof, as disclosing the modification of printing parameters. The Examiner particularly identifies these printing parameters as the print schedule edited by the user. However, such printing parameters do not include either the number of copies of the print job in question, or the page range of the print job in question. As such, Gupta does not anticipate claim 22.

Claims 23, 27, 29, 31, 35, 38, and 41

Claims 23, 27, and 29 are dependent claims depending from claim 21, claims 31 and 35 are dependent claims depending from claim 30, claim 38 is a dependent claim depending from claim 36, and claim 41 is a dependent claim depending from claim 39. All of these claims have also been rejected under 35 USC 102(e) as being anticipated by Gupta. Claims 23, 27, 29, 31, 35, 38, and 41 are patentable at least because they depend from patentable base claims.

Claims 24 and 32

Claim 24 is a dependent claim depending from claim 21, and claim 32 is a dependent claim depending from claim 30. Both of these claims have also been rejected under 35 USC 102(e) as being anticipated by Gupta. Claims 24 and 32 are limited to the user requesting, via the user interface, to print the information on the printing device by selecting a print menu item within a file menu of the user interface.

Applicant submits that claims 24 and 32 are patentable at least because they depend from patentable base claims, and also that they are independently patentable, irrespective of the patentability of their base claims. The Examiner has indicated that FIG. 8 of Gupta teaches the element of claims 24 and 32 due to its disclosure of a “printer” tab within the window of FIG. 8. However, this is not what the claimed invention of claims 24 and 32 are directed to. In representative explanation as to claim 24 (i.e., as representative of both claims 24 and 32), claim 24 particularly limits the user’s requesting to print information on a printing device via a user interface – where the print window of claim 21 is displayed in response to this request. The Examiner has already correlated the window of FIG. 8 as the print window of claim 21. Therefore, the “printer” tab of this window of FIG. 8 cannot correspond to selecting a print menu item within a file menu, insofar as this print window is not even displayed until after the print menu item has been selected within the file menu, and in Gupta, the print window is already displayed.

Furthermore, the “printer” tab is not a print menu item within a file menu. There is no file menu within the window of FIG. 8 of Gupta. For both of these reasons, Gupta does not anticipate claims 24 and 32.

Claim 25

Claim 25 is a dependent claim depending from claim 21, and has also been rejected under 35 USC 102(e) as being anticipated by Gupta. Claim 25 is limited to the user selecting the button on the print window – which calls up the job schedule window per claim 21 – by selecting a properties button.

Applicant submits that claim 25 is patentable at least because it depends from a patentable base claim, claim 21, and also that it is independently patentable, irrespective of the patentability of base claim 21. The Examiner has again indicated that FIG. 8 of Gupta teaches the element of claim 25 due to its disclosure of a “printer” tab within the window of FIG. 8. However, this is not what the claimed invention of claim 25 is directed to. Claim 25 particularly limits the user’s selecting a button on the print window, in response to which a job schedule window is displayed, by selecting a properties button on the print window. In FIG. 8, the print window itself is already displayed in which the user is able to modify the job schedule. The user, in other words, does not have to select the “printer” tab in order to modify the job schedule – and indeed, selecting the “printer” tab in FIG. 8 of Gupta would mean that the user is no longer able to modify the job schedule, since other information would be displayed in that tab. Therefore, the “printer” tab of FIG. 8 cannot correspond to selecting a “properties” button within a print window to call up a job schedule window in which a schedule can be modified, as in claims 21 and 25, insofar as selecting the “printer” tab in FIG. 8 in Gupta results in the schedule not being able to be modified until the user goes back to the “schedule” tab.

Furthermore, the “printer” tab is not a button in general, and is not a “properties” button in particular. It is a tab. For all of these reasons, Gupta does not anticipate claim 25.

Claims 26, 33, and 40

Claim 26 is a dependent claim depending from claim 21, claim 33 is a dependent claim depending from claim 30, and claim 40 is a dependent claim depending from claim 39. All of these claims have been rejected under 35 USC 102(e) as being anticipated by Gupta. Claim 26 is described as representative of claims 26, 33, and 40 insofar as the rejection over Gupta is concerned. As such, it is noted that claim 26 is limited to the job schedule window including a “print now” button and a “print later” button.

Applicant submits that claim 26 is patentable at least because it depends from a patentable base claim, claim 21, and also that it is independently patentable, irrespective of the patentability of base claim 21. The Examiner has indicated that FIG. 8 and column 13, lines 53-65 of Gupta teach the element of claim 26. Particularly, the Examiner has indicated that a document being sent *upon creation* discloses a print now button. Applicant disagrees. That a document is sent, or printed, *upon creation* does not mean that it is printed “now.” The online dictionary www.dictionary.com relevantly defines “now” as “without further delay; immediately.” However, in Gupta, the document is printed when it is *created*, which may or may not be now. For example, the document may be created two hours from now, such that it is printed at that same time – however, two hours from now is not *now*. As such, Gupta does not explicitly or inherently disclose the elements of claim 26, and therefore does not anticipate claim 26. For the same reasons, therefore, Gupta does not anticipate claims 33 and 40, either.

Claims 28 and 34

Claim 28 is a dependent claim depending from claim 21, and claim 34 is a dependent claim depending from claim 30. Both of these claims have been rejected under 35 USC 102(e) as being anticipated by Gupta. Claim 26 is described as representative of claims 28 and 34 insofar as the rejection over Gupta is concerned. Claim 28 is limited to the type of information contained within

a print job. Applicant has amended claim 28 so that the print job can be spreadsheet data or database data (only) in the claimed invention of claim 28.

Applicant submits that claim 28 is patentable at least because it depends from a patentable base claim, claim 21, and also that it is independently patentable, irrespective of the patentability of base claim 21. The Examiner has indicated that Gupta teaches word processing data insofar as it discloses publication layouts and content. Insofar as claim 28 is now limited to the print job including spreadsheet data and/or database data, which Gupta does not disclose. Therefore, claim 28 as amended is not anticipated by Gupta. For the same reasons, therefore, Gupta does not anticipate claim 34, either.

Claims 30 and 36

Claims 30 and 36 are independent claims, and have been rejected under 35 USC 102(e) as being anticipated by Gupta. Applicant has amended these claims so that a “plurality of windows” is displayed. For example, these windows can include the window of FIG. 5 and the window of FIG. 6 of the patent application as filed. By comparison, Gupta displays just a single window in correspondence to these claims, the window of its FIG. 8. Therefore, Gupta does not disclose all the elements of claims 30 and 36, and does not anticipate these claims.

Claim 37

Claim 37 is a dependent claim depending from claim 36, and has also been rejected under 35 USC 102(e) as being anticipated by Gupta. Applicant first asserts that claim 37 is patentable at least because it depends from a patentable base claim, claim 36.

Furthermore, Applicant asserts that claim 37 is independently patentable, irrespective of the patentability of its base claim. Claim 37 is limited to displaying a first window that includes a button selectable by a user, the selection of this button causing display of a second window in which the user is permitted to specify whether the information is to be printed now or later. As

such, claim 37 incorporates limitations also found in claims 21 and 39 (as to the display of a second window in response to the selection of a button of a first window), and in claims 26, 33, and 40 (as to the "print now" aspect of this claim). Therefore, claim 37 is patentable over Gupta for at least the reasons that have been described in relation to claims 21 and 39, and/or the reason that have been described in relation to claims 26, 33, and 40, above.

Conclusion

Applicants have made a diligent effort to place the pending claims in condition for allowance, and request that they so be allowed. However, should there remain unresolved issues that require adverse action, it is respectfully requested that the Examiner telephone Mike Dryja, Applicants' Attorney, at 425-427-5094, so that such issues may be resolved as expeditiously as possible. For these reasons, this application is now considered to be in condition for allowance and such action is earnestly solicited.

Respectfully Submitted,



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